

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Due to the numerous capitalized instances of the word "Internet" in the Specification, a Substitute Specification is attached hereto. In addition, minor editorial amendments have been made to make the Specification clear. No new matter has been added by this Amendment.

Claims 1-2, 4-7, & 11-14 have been amended.

Claims 1-16 are pending in this application.

Claims 1-7, 9-10, 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bleier, Jr. et al. in view of Shin. Applicant traverses the rejection for the following reasons.

Applicant submits that Bleier, Jr. et al. fails to disclose or suggest a packet service simulator of claim 1. As admitted by the Examiner, Bleier, Jr. et al. does not disclose a terminal of the claimed invention. As a result, it is submitted that Bleier, Jr. et al. simply fails to disclose or suggest a packet service simulator for receiving a packet call control signal from a mobile telephone to verify a packet call processing operation between a terminal and the mobile telephone, and transmitting an internet protocol packet received from the mobile telephone to an external network and transmitting a corresponding response packet received from the external network to the mobile telephone, thereby enabling the mobile telephone to transmit the corresponding response packet to the terminal, as recited in claim 1, as amended.

In the Office Action, the Examiner points out the element 1000 of Fig. 10 in Bleier, Jr. et al. and asserts that element is corresponding to the packet service simulator of the claimed invention. Applicant does not agree with the Examiner. The element 1000 of Bleier,

Jr. et al. is a generalized LAN simulator, which generates complete LAN frames for testing a system under test and performs "command and control services" and "script facility" as disclosed in the abstract and column 11. In Bleier, Jr et al., the simulator replaces a user operation of workstation. In contrast, the simulator of the claimed invention replaces a mobile communication system. Therefore, Applicant respectfully submits that the simulator of Bleier, Jr. et al. is clearly distinguished from the packet service simulator which receives the packet call control signal from the mobile telephone to verify the packet call processing operation between the terminal and the mobile telephone, and transmits the inter protocol packet received from the mobile telephone to an external network and transmits a corresponding response packet received from the external network to the mobile telephone, thereby enables the mobile telephone to transmit the corresponding response packet to the terminal.

With regard to the terminal of the claimed invention, the Examiner is relying on Shin. However, Applicant submits that it is not clear how a person having ordinary skill in the art would combine the terminal of Shin with a LAN simulator of Bleier, Jr. et al.

Obviousness is not established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion that the combination be made. In re Stencel, 4 USPQ2d 1071, 1072 (Fed. Cir. 1987). Nor is it proper to selectively pick and choose isolated elements from the prior art references in order to reconstruct the claimed invention. In re Gordon, 221 USPQ 1125 (Fed. Cir. 1984); Symbol Technologies v. Opticon, Inc., 19 USPQ2d 1241 (Fed. Cir. 1991). Under section 103, teachings of references can be combined only if there is some suggestion or incentive to do so. ACS Hosp. Systems v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984).

Applicant submits that it is not proper to selectively pick and choose a terminal of Shin and a LAN simulator of Bleier, Jr. et al., which are isolated elements from the prior references, in order to reconstruct the claimed invention, absent some teaching or

suggestion that the combination be made. The Examiner is invited to point out objective teachings for the combination.

Therefore, Applicant submits that claim 1 and its dependent claims 2-7 and 9-10 are not made obvious over Bleier, Jr. et al. in view of Shin under 35 U.S.C. §103(a).

The method claim 11 recites the verification method using the terminal and the packet service simulator of claim 1. Therefore, for the reasons set forth above with regard to claim 1, it is also submitted that the references fail to disclose or suggest all of the features of claim 11. Accordingly, claim 11 and its dependent claims 12-15 are not made obvious over Bleier, Jr. et al. in view of Shin under 35 U.S.C. §103(a).

Claims 8 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bleier, Jr. et al. in view of Shin and further in view of Abrol. Applicant traverses the rejection for the following reasons.


As set forth above, Bleier, Jr. et al. and Shin, as combined, neither disclose nor suggest all of the features of claims 8 and 16. Applicant further submits that Abrol does not supply the above-noted deficiencies of Bleier, Jr. et al. and Shin. Therefore, claims 8 and 16 which are dependent on claim 1 or claim 11, are not made obvious over Bleier, Jr. et al. in view of Shin and further in view of Abrol under 35 U.S.C. §103(a).

The prior art made of record and not relied upon is noted.

All objections and rejections having been addressed, it is respectfully submitted that claims 1-16 are now in condition for allowance and a notice to that effect is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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